

White House Limits Testimony of Aides

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The White House has instructed presidential aides to claim executive privilege and refuse to answer certain questions in closed-door sessions of the Senate Watergate committee, according to reliable government sources.

This appears to be a reversal of President Nixon's publicly stated position, last affirmed in a July 7 letter to the Senate committee, in

which Mr. Nixon said he had "agreed to permit the unrestricted testimony of present and former White House staff members before your committee."

The restriction of testimony is part of a "hard line" that is emerging as the President and his No. 1 aide, Alexander Haig, take more direct control in the response to Watergate, according to White House sources.

A White House spokesman said last night: "I flatly disagree with the view that

there has been a watering down of the President's position and his willingness to cooperate with the Senate committee." The official said that the few restrictions on testimony are consistent with the limitations of the Senate investigation.

In the last week, however, White House lawyers have placed the following restrictions on testimony:

- Rose Mary Woods, the President's personal secretary and executive assistant, was instructed to not appear

for an interview after being requested to appear by the Senate committee.

- One present White House aide was instructed not to answer questions about comments the President wrote in the margins of the daily news summary that Mr. Nixon receives.

- Secret Service agents were not only instructed not to answer questions about the tape recordings secretly made of the President's conversations, but the agents

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have been told not to answer questions about any matters relating to protective services supplied to presidential candidates.

(This effectively prevents the Senate committee from investigating press reports that Secret Service agents forwarded reports to the White House about the schedules and personal lives of at least one Democratic presidential contender.)

• On several occasions White House aides have been instructed by White House lawyers who sit in on the closed-door interviews at the Senate committee not to answer questions relating to matters after April 30, which is the day that H. R. Haldeman, John D. Ehrlichman and John W. Dean III left the White House staff.

White House sources maintain that the restrictions are consistent with the President's July 7 letter, in which he also said that the Senate committee would be denied access to "presidential papers."

In that letter the President said: "No President could function if the private papers of his office, prepared by his personal staff, were open to public scrutiny. Formulation of sound public policy requires that the President and his personal staff be able to communicate among themselves in complete candor, and that their frank comments on issues and personalities at home and abroad remain confidential."

It is on this basis that the sources said they also expect the White House to announce publicly on Monday that the tapes of the President's telephone and office conversations will not be released to the Senate committee.

The sources said that the President wants to cooperate with the Senate investigation, but interrogation about presidential papers such as the comments on news summaries or about matters after April 30, when the chief presidential aides left the staff, should not be considered an appropriate part of the Watergate probe.

Edward Schmults, general counsel for the Treasury Department, confirmed yesterday that he had received oral instruction from special presidential counsel J. Fred Buzhardt on Tuesday to invoke executive privilege on any questions to Secret Service agents about any person protected by the agency.

This is an expansion of the restriction on testimony ordered by the President in a Tuesday letter to Treasury Secretary George P. Shultz. In that letter, the President said that he was ordering that the Secret Service agents give no testimony "concerning matters, observed or learned while performing protective functions for the President or in their duties at the White House."

That letter was in response to the disclosure that the President had taped his conversations for two years. At the time, the Senate committee was attempting to obtain information about the tapes from the Secret Service agents who maintained the elaborate presidential electronic surveillance system.

It is understood that the White House restrictions were placed on the Secret Service agents because the lawyers advising the President on the Watergate felt that testimony by the agents would open the door into an inquiry about the private life of the President.

Such an inquiry or even the possibility of such an inquiry would necessarily re-

strict the access the agents would have in the future to the President who would be wary of their presence in private moments.

One White House source said that the Senate committee "must be prevented from going on a fishing expedition." The source also said that Samuel Dash, the Senate committee chief counsel, agreed that it would be inappropriate for the committee to subpoena the President's personal secretary, Miss Woods, and the request for an interview with her was dropped.

Dash declined comment yesterday on the subject of what privileges may have been invoked by the White House.